The Idea of Competition in Dingxin Zhao's The Confucian-Legalist State

Review
Dingxin Zhao, *The Confucian-Legalist State: A New Theory of Chinese History*
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Dingxin Zhao's new book, *The Confucian-Legalist State: a New Theory of Chinese History*, is an impressive achievement of ambition, scope and clarity. I cannot evaluate its accuracy in regard Chinese history, and so simply note that it seems to formulate its position cognizant of numerous debates in Chinese historiography. I will focus here instead on the theoretical side, especially on the concept of competition, which is central to the theory. This is because I have a strong interest in how the concept of competition operates in sociology and the social sciences, and am sympathetic to the aim of giving it more prominence and attention in socio-historical analysis.

Zhao offers a 'sociological analysis of the patterns of China's history' (Zhao 2015, p. 3) stretching over two millennia. For orientation, the main outline of that history can be briefly stated. Arising out of the "rubble" of the Western Zhou "feudal" lineage-based order (1045-771 BCE) the Eastern Zhou period (770-221 BCE) is portrayed as one of a dozen major, warring city-states gradually aggregating into larger units and developing into bureaucratically governed territorial states under the pressures of increasingly intensive and extensive war-making. At the end of this period an "age of total war" (419-221 BCE) also saw the rise of the *shi* status group of men who earned their living by service to the state and political leaders. In this context the philosophical traditions later labelled Confucianism, Daoism and Legalism developed and flourished, with the *realpolitik* of Legalism providing the

prevailing ideology of the bureaucratic war-state. This process culminated in the despotic and short-lived Qin Empire, replaced after a period of civil war by the more benign Western Han Empire (206 BCE-8 CE) in which Confucianism revived and tempered Legalism, and a balance of forces between emperors, Confucian scholars, bureaucratic officials and administrators was established, to form the "Confucian-Legalist State." This provided the basic enduring model of the Chinese state up to 1911. Although later dynasties (Northern Song, Ming, Qing) saw growth of commerce, this did not result in a countervailing bourgeois class based on economic power. In sum, the Confucian-Legalist state crystalizes out of the cumulative impact of war and its consequences, and once formed, tends to place limits on the further cumulative development of China's history.

To conceptualize this history and its processes, Zhao builds on Michael Mann's (1986) approach in which social power is conceived as primarily arising out of four key sets of institutions and social networks, which he calls "sources", associated with Ideological, Economic, Military and Political activities (the "IEMP model"). In Mann's work these four sources combine across time and space in myriad ways, with none of them having causal priority, although there is a tendency for analysis to become ultimately focused on the state as the point at which these sources tend to converge. This provides him with a comprehensive yet flexible framework for historical and comparative analysis. I will elaborate how Zhao develops Mann's framework in a moment.

Zhao also adapts concepts from Max Weber (1978). He sees legitimacy as falling into three main types: "legal-procedural" and "ideological" legitimacy incorporate and recombine Weber's "legal-rational" and "charismatic and

traditional" modes of legitimation. But Zhao also places emphasis on a form of legitimation missing in Weber's paradigm: "performance-based legitimacy" (see also Zhao 2009). This is legitimacy based on the sheer efficacy of a state in maintaining social order, on the benefits that people can see they gain from submitting to a given power. As the ultimate coordinator of social order the state is uniquely able to lay claim to this form of legitimacy.

A key distinction is also made between two types of instrumental (means-end) rationality, between that which is privately oriented, typical of economic action, and that which is publically oriented, e.g. as in state action. Zhao also treats Weber's "theoretical" and "formal" modes of rationality as one larger kind, oriented to the abstraction of analytic and deductive models from observations of reality. This is seen as characteristic of modern, scientific thought. To this he adds a new form, "historical rationality", characterized by holistic and inductive forms of thought that resist abstracting events from their context. This is seen as a characteristic of the various Chinese philosophies that flourished before, during, and after the Western Han period. Zhao recognizes that to some degree this distinction can be seen as also replicated within the traditions of "western" thought in the tensions between social "sciences" and the humanities.

Ultimately Zhao sees himself as "adding *competition/conflict* logics to Michael Mann's version of Weberian theory" (Zhao 2015, p. 4), so let me turn to that addition. Zhao's theory modifies Mann's primarily by arguing that competition operates differently in regard to the four sources of power. For Mann the four sources are not so much causal processes as encompassing historical-analytical categories through which causal processes are analysed and compared. As Zhao

points out, for Mann it is more specific patterns or processes, such as the "interstitial emergence" of forces and groups from between larger social structures, the "unintended consequences" of social action, and I would add the "social caging" of classes, that do the more direct explanatory work. Zhao treats the four sources of social power more as "sites for competition among social actors", viewing the "dialectical interaction of competition and institutionalization … as the key engine of historical change" (Zhao 2015, p. 33).

A basic premise for Zhao is that competition in the military and economic spheres cultivates instrumental rationality, because there are generally clear "winners and losers" as the outcome of social action. The means-end relationships are relatively stark. In keeping with his modification of Weber's concept of instrumental rationality, the end of economic competition is "private good" (income, profit, etc.), of military competition, "public good" (security, resources, territory, etc.). Because of this, military and economic competitions both have a "cumulatively developmental" dynamic. They tend to drive social change as action is organised and modified in relation to the pursuit of goals.

By contrast, in the political and ideological spheres the drive towards directional social change is weaker. While the political sphere can produce clear winners and losers, it generates little material progress in itself, and tends towards the conservatism of the status quo, in the interest of power-holders. In the sphere of ideology the criteria of winning and losing are much less clear and more contested. While Ideological power requires material, institutional and coercive support, and is heavily conditioned by historical context—e.g. societal crises—there is no guarantee that the "best" ideas will win out, even in a liberal context open to

debate. All that is assured in such contexts is value pluralism. Zhao acknowledges that "science" is something of an exception to this claim, a point I will return to.

In short, for Zhao there are relatively static (ideology, politics) and relatively dynamic (military, economic) modes of competition associated with the four sources of power. "Cumulative development accelerates in a society only when, among the four power sources, economic and/or military competition are dominant" (Zhao 2015, p.36). A basic analytic contrast that Zhao shares with Mann is between centralizing and decentralizing institutional tendencies. For Zhao military competition has strong centralizing tendencies, and economic competition has strong decentralizing tendencies. This contrast distinguishes their cumulatively developmental tendencies. As with Mann, for Zhao, political power, like military power, is also centralized and coercive, but it is also distinguished by being the key locus of "performance-based legitimacy".

To return to the implications of these theoretical premises for Zhao's history, his narrative is one in which relentless military competition drives development, in military organization and technology, and in social and political scale, from city-states, to kingdoms, to empires. As this pattern of development begins to reach it limits (Qin, Western Han) what crystallizes is the highly bureaucratic (and militarily capable) state governed by a civilian class selected through the competitive exams system—the Confucian-Legalist state. While there is scope for the development commercial economic power in this system, this never becomes central to the social dynamic, which concerns the maintenance of a vast civil bureaucracy atop an extensive military capacity.

By contrast, in the concluding chapter, Zhao suggests a very different dynamic in Europe, where a similar pattern of military competition driving state growth is matched and ultimately overtaken by the dynamic of economic competition afforded by opportunities of trade, aided by patterns of formal-theoretical rationality that serve economic pursuits particularly well. As he puts it: "…by itself bureaucracy has relatively little to do with modernity, pace Weber." It is not the rise of instrumental rationality and bureaucracy that makes modernity, but more specifically the "valuation and dominance of privately oriented instrumental rationality in society" (Zhao 2015, p. 48), which accompanies the rise of capitalism. Thus where ancient China generated a social system based on an alliance between the state and the military, Europe, as Weber (2003) argued, generated one based on an alliance between the state and the merchants.

Let me ask some questions about the concept of competition underlying this analysis. First, Zhao asserts from the start that "Humans are competitive and conflict-prone animals who compete individually and collectively for dominance…" (p. 10). I wonder if this is the best way of putting this point, because there is a distinction to be made between "being competitive", as a natural or psychological disposition, and "competition" as a fundamentally given social situation. It is easy to confuse "competitiveness" as a culturally inculcated value, with competitiveness as a natural trait. I have some scepticism about the latter, and suggest it may be more precise to say that humans, like most living things, have an inclination to survive and thrive, and that this disposition encounters contexts of competition, in which there are rival claimants for limited social goods (food, territory, love, praise, etc.). Where this becomes routinized in particular ways due to social circumstances, it may

appear that people are naturally competitive in regard to particular desired ends, but this is historically contingent. That humans will inevitably find themselves in some situations of competition, and will have to adapt to that, is a sound generalization. That they are competitive by nature is more uncertain.

Second, following on from this point, it is useful to make a distinction between "naturally arising" competition (which is not to say "innate"), for instance due to shortages of basic resources, and what we might call "artificial" competition. Classic examples of the latter include competitive games, from chess and Go, to the ancient Greek Olympic Games and medieval tournaments (which had roots in military training). And of course, the meritocratic promotion of bureaucratic officials by exams characteristic of the Confucian-Legalist state is a prime early example of how artificial competition can be generated to address a basic institutional need. Whereas the inherent ideological contests between various Chinese philosophies may have been, as per Zhao's theory, relatively directionless, the exams system itself helped produce and reproduce a cadre of Confucian scholars serving the empire. The analysis of competition will benefit from an appreciation of the tension between competitions that humans stumble into, and those they deliberately cultivate.

Third, if we think of competition as rivalry over limited resources, it is worth remembering that such competition has various effects. We tend to think first of *elimination*—unsuccessful rivals in war or commerce may lose ground or profits, and in the extreme they will be eliminated altogether, as Chinese dynastic histories attest. But another effect of competition is *differentiation*, amply illustrated in the realms of biological and economic evolution. When rivals come into conflict, one possibility is to diverge in specialization so as to avoid a zero-sum contest. Much

formal complexity in the biological and social worlds, from speciation to the division of labour, is partly generated through this response to competition. And finally, it is important to remember that *cooperation* itself is often the product of competition. Far from being a simple opposite, cooperation and close coordination is often a response to the challenges of competition, as alliances are formed to compete more effectively. All this is simply to say that when the social scientist invokes the concept of competition, and the emphasis is on the eliminating effect of competition, they are liable to being construed as social Darwinists. When we remember the multiple effect of competition we can soften this misunderstanding. Moreover, "cumulative development" perhaps needs to be understood not just in terms of the more successful replacing the less successful, but also in terms of the overall expansion of differentiation and intensification of cooperation (albeit often in regard to rivals).

Fourth, Zhao suggests that he is adding a "Spencerian element" to Mann's theory by focussing on competition, but I wonder if this is quite correct. Spencer did emphasize, as Zhao does, the role of war in driving forward social integration and increasing complexity, although he looked forward (optimistically in his early years) to an era when the war-state would be replaced by a pacific industrial society. But my query is really more about the role of competition in Spencer's evolutionary theory. He saw evolution as a cosmic principle of growth, differentiation, and integration that operated across all domains of science, from physics, to biology, to sociology. Oddly, while his individualistic libertarian ethics proscribed state support for the poor and unfortunate, who must learn to adapt (i.e. compete) to survive and improve society, competition was not a strong operating principle in his overall theory of evolution. That followed a more teleological and ontogenic logic, with

little need for a competitive principle (Peel 1971, pp 146-153). In short, does the Spencerian shoe really fit?

Fifth and finally, as indicated above, there is the curious case of how science, considered as a branch of ideology broadly defined, fits into Zhao's claims about the non-cumulative nature of ideological competition. We might address this by locating science outside ideology, seeing it as another kind of thought and practice altogether. Mann has entertained the idea that science might be regarded as fifth "source of power" (Mann 2011, p165). Zhao addresses the anomaly of science by suggesting that it "is increasingly promoted in the modern world, in part because it justifies and extends the power of privately oriented instrumentalism" (Zhao 2015, p.45). In other words, it enjoys a peculiar alliance with the growth of capitalism. It seems implausible to place science entirely outside of traditions of intellectual inquiry that we normally include in a broad conception of ideology (such as the various Chinese philosophies that Zhao discusses in Chapter 6). Perhaps this implies that under certain circumstances ideology has the potential to become "cumulatively developmental". It is certainly the case that while competitions among aesthetic and moral systems do seem to be internally irresolvable, science in the narrow positivist sense does provide its own terms for the elimination of failed ideas and the formulation of improved ones. And of course the human sciences tend to occupy a liminal region in between these.

I move towards conclusion by considering the book's last chapter, which engages the question of the "great divergence" (Pomeranz 2000) between Europe and China around the eighteenth to nineteenth centuries. Here the book moves from asking why China developed as it did, to why it developed differently from

Europe. In particular Zhao engages with the arguments of the "California school" (e.g. Abu-Lughod 1989, Blaut 1993, Pomeranz 2000), who have argued in various ways that the "rise of the West" was not fated by macro structural factors, but more a matter of close run historical contingencies. Zhao counters that the early formation of the Confucian-Legalist state did indeed create a structural obstacle to the "indigenous breakthrough to industrial capitalism" (Zhao 2015, p.351) in China. It is worth noting that debates about this are sometimes couched as though Europe and China had been in some kind of "race to modernity" or to "supremacy", one which needs *ex post facto* justification. But of course, there was no such race. The key point, and one that bedevils attempts at an integrated explanation of their divergence, is that these two parts of the world, while in contact, have relatively separate causal histories. They were in contact, but not in competition.

In the end, for Zhao, there are two main engines of historical change: military competition and economic competition. The Chinese story is one of military competition being eventually harnessed by the bureaucratic state, which builds in a limited and controlled sphere of philosophical competition and competition for access to bureaucratic office and state power. The European story for Zhao is one of economic competition ultimately taking the form of industrial capitalism, and being harnessed by the state, to create the "state-merchant alliance". Military and ideological powers play second fiddle to this core process. In sum, there are two relatively independent stories, of the military "engine" being harnessed earlier in China by a combination of political and ideological power, the Confucian-Legalist state, and of the economic "engine" being harnessed later in Europe, again by a

different configuration of political and ideological power, which we might dub the "Capitalist-Liberal" state.

To be able to rethink China's history on its own terms, and in a way that speaks to one of the most fundamental debates in historical and social science—why the rise of the "West"?—is a remarkable achievement. Zhao's systematic attention to the role of competition in macro-sociological and historical development is in my view both very welcome and overdue. As with all great social science and history, the re-conceptualization opens up a new understanding the empirical materials, making them accessible and meaningful in new ways.

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